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# LAW, and STATE PROPOSALS

Humbly Presented

TO THE

## Supream Authority,

THE

## Parliament of England.

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By *William Ball*, Esq;

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LONDON.

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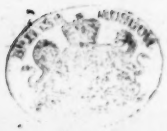

# PROPOSALS, &c.

THE Parliament of *England* is *Intrusted* by the People *for* their Lives, Liberties, and Estates; *not with* them: that is to say, *for* a Regular Preservation of them according to Justice, *not with* an absolute Arbitrary Disposition of them at their Wills and Pleasures, (as some State-Hæreticks have asserted): so that the Parliament of *England* is obliged, according *to their Trust*, to propagate, for the good of the People, Laws Consonant and Consistent with Reason and Justice; And it is the hope of all the peaceable People of this Commonwealth, that they will accomplish the same. In Order whereunto, I have humbly tendred these Sequells.

Regular preservation is the *true Final Cause* of all *Intrusted* Authority, how Supream soever.

I. That Jurors (between Parties) be impannelled *of able and sufficiently knowing Men, of good Name and Fame for their upright Dealing*; and not of Mean and Ignorant Persons, to the great wrongs and aggrievances of many.

II. That all *Judges whatsoever*, who shall directly, or indirectly, take or receive, any Bribe, or Gift, from any who have any Suit Depending before Them, shall suffer Death without mercy.

III. That, all *Forgers* and *Falsifiers* of Deeds, Wills, Bonds; *&c.* Also, Falsifiers and Embezellers of Examinations taken upon Oath in Chancery, suffer Death without mercy; And that all *Suborners* and *Accessaries* be branded in either Cheek with an *F.* forasmuch as *Forgery* is a most secret and pernicious Theft.

IV. That *Perjury*, whereby any one is deprived, or in danger to be deprived of, His, Her, or their Lives, Estates, or

Rights; be punished with Death without mercy; And that all *Suborners* be branded in either Cheek with a *P.* forasmuch as *Perjury* may Violate three Divine Commandements, and is most Pernicious and Dangerous in a Commonwealth.

V. That *Perjurors*, upon answer in Chancery to a Bill of Complaint, or otherwise to a Petition of Right, be branded in either Cheek with a *P.* and they lyable (if able) to pay double Damages to the Party, or Parties wronged; or to suffer farther Corporal punishment: that so the Rights of others may not be concealed, nor they wronged, or vexatiously troubled therein.

VI. That all *Embezellers* of true *Wills* and Testaments suffer Death without mercy; And all *concealers* of such *Wills* and Testaments be branded in either Cheek with a *W.* forasmuch as the Practises and Compliances thereof are high Theft.

VII. That no *Will* or Testament, for giving, or settling of any Lands (unless where custome prevaileth) be deemed *valid*, unless such *Will* be Signed, Sealed, and Published in the presence of four sufficient Witnesses: that so Heirs at Law be not Dis-inherited (contrary to the Law of GOD; *Numb.* 27. and Common Law of this Land) by Forged, or Fraudulent *Wills*; unduly obtained in the time of agony, by Force, Fear, or Flattery; and that all *Wills* so obtained be deemed *Null.*

VIII. That such as shall be found guilty of *Fraud*, shall pay treble Damages, or suffer severe Corporal punishment: Also, that all who shall obtain, or get into other mens Rights, or Estates by *fraudulent* Practises and Devises, and shall afterwards enjoy or possess the same by Collateral conveyances or assurances; shall, upon complaint and proof of such former fraud, within the space of years be outed of such Estates, and the Collateral conveyances and assurances made *Null*; unlesse such Collateral conveyances mention some valuable consideration: that so, mean and necessitous Persons may not be unduly deprived or wronged in their Rights.

Also Leases for Life or Lives, and Mortgages to be inrolled before the *Custos Rotulorum* in the several Counties.

IX. That all Feoffments, Deeds of gift, Uses, and Rent-Charges, &c. be inrolled in Chancery, or in the County where the Lands lye, before the *Custos Rotulorum*, &c. within three months after their Dates, upon pain of being *Null*: and in case

caſe the Party, or Parties, who ſhould acknowledge ſuch Deed, or Deeds, happen to dye before three months; that then the Oaths of three ſufficient Witneſſes of honeſt Repute, depoſing the ſealing and delivery of ſuch Deeds within three months after the Death of ſuch Party, or Parties, who ſhould acknowledge the ſame, ſhall be ſufficient for *Caption*; they being ſummoned thereunto by *Subpœna*, or by other warrant from the *Cuſtos Rotulorum*: by which means, forged, fraudulent, and ſuſpicious Deeds may be avoyded; and the paſſing of ſuch Eſtates, known and manifeſted.

X. That all Lands, Rent-Charges, *&c.* above *per annum*, expoſed to Sale, be publiſhed three Market-dayes by Bills ſetting *truly* forth ſuch Right as the Vendors have, and ſuch Incumbrances as are thereon (if any be), upon pain of forfeiting the valews of one half of them to the Commonwealth, or to ſuffer impriſonment, or Corporal puniſhment accordingly: And that ſuch Bills be read by ſome in the Market-place (at the time of Market) next adjoyning to the ſaid Lands, or in the chief Market-place (or ſo eſteemed) in, or within the County, where ſuch Lands lye, or where ſuch Rent-Charges are iſſuing; and that ſuch Bills, after reading, be ſet up by the Town-Clerk in ſuch Market-place: And that afterwards the ſaid Bills, or *true* and *exact* Copies thereof, be Regiſtred in a Book for that purpoſe appoynted, and kept by the *Cuſtos Rotulorum* of the County; the Party, or Parties paying 12 d. for every ſuch Bill: and in *London*, and other Cities, ſuch Bills to be read, and ſet up as aforeſaid in ſome Place; and Regiſtred, and kept by ſome *ſworne* Officer thereunto appointed: By this means Purchaſors (if they take any care) will not eaſily be defrauded.

## *Concerning Commerce, &c.*

1. THat (if it may be) Honourable Peace be procured, concluded, and continued with all our Neighbour-Nations; that ſo Trade may be promoted, Manufactures encouraged, the Commonwealth enriched, and the People leſſe Taxed.

2. That

2. That the ſervile People of this Commonwealth tranſported into the Plantations of *America*, may be more Chriſtian-like, and humanly uſed, than (as it is credibly reported) they uſually are.

The *Dutch* would not have ſet footing in the hither parts of *nova Guinea*, without expectation of conſiderable profit, *&c.*

3. That Diſcovery be made (at the Charges of the Commonwealth) of that vaſt Region, commonly called *Terra Auſtralis incognita*, , over againſt *China*, *Japon*, and the *Philippina's* in the Coaſts of *nova Guinea*, and the South Sea, or *mare del Zur*; which Regions are commended by *Pedro Fernando de Quir*; and in which ('tis probable) as Rich and Commodious Plantations may be diſcovered, as in *America*; and from which (if Diſcovered) a valuable Commerce might be held with *China*, *Japon*, and the Regions of the South-Sea: however, the Diſcovery will be honourable.

Divers Perſons keep true, and falſe weights, & meaſures; and ſell by either.

4. That ſevere Penalties be impoſed on ſuch as ſell by falſe Scales, weights, and meaſures; which is too uſually done, not onely in Market-Towns, but alſo in Villages where Shop-Keepers are; and that they be ſubject to be indicted, *&c.* for ſuch their defaults; and, upon ſufficient proof, ſubject to ſuch Penalties.

5. That Pewterers be not permitted to allay their Tinn ſo much as they uſually do, but that they be ſtinted by a ſet proportion for Diſhes, and ſuch like Utenſils; and that prices be ſet thereon, according to the rate of Tinn, and that by weight.

6. That the abuſes of Wine-Coopers, and Vintners, in Sophiſticating their Wines be reformed; and that prices be ſet thereon, according to their Rates at Importation, Cuſtomes, *&c.* conſidered.

7. That, whereas great waſtes of Timber, and Wood, have bin made (eſpecially ſince the late troubles); ſome Order be enjoyned for the Replantation of Wood, in Wood-Land Countries, by ſuch, and the Succeſſors of ſuch, who have themſelves, or whoſe Predeceſſors have, formerly felled them; and this to be done by ſome Injunction; conſideration being had to the quantity of Land, that ſo the ſtock of Wood be not utterly decayed, and the Common-wealth thereby Damnified.

8. That

8. That (ſo aſmuch as much Building is compoſed of Brick) Bricks be larger made, and better burnt than uſually; upon ſome penalty to be impoſed: by which means Buildings will be ſtronger, and endure longer.

*William Ball.*

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# *Propoſall*, &c.

FOraſmuch as Protection and Subjection are Relative and Correlative, in regard whereof, not only limited (a) Kings, but alſo intruſted Potentates, and Powers, do ordinarily take ſome Oath or Engagement to Govern the People under them: according to Law and Juſtice: I humbly therefore conceive, that it would be a great ſatisfaction to the People of this Commonwealth, if the members of (b) Parliament would vouchſafe to take this, or the like, enſuing Oath.

*J. A. B.* do ſwear to Protect and Defend according to my beſt Skill and Ability, the People of this Commonwealth of *England*, and the Dominions thereunto belonging, in their Juſt and Legal Rights, and Liberties; and to maintain and procure juſt Laws and Ordinances; able, and upright Judges, Magiſtrates, and Officers of Peace and War, in Order thereunto agreeable; and to maintain and procure the general Safety, regular Government, and publick Profit of this Commonwealth. So, *&c.*

*William Ball.*

(a) Sir *Henry Wotton*, in his Supplement to the State of Chriſtendome, Pag. 17.

(b) Or Oligarchical Truſtees.

*FINIS.*